

# SNEW

**South Norwalk Electric and Water**  
**A Municipal Utility System**  
*Serving the Needs of the Community*

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EXHIBIT

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BUREAU OF WATER PROTECTION AND LAND REUSE  
OFFICE OF THE BUREAU CHIEF

FEB 05 2010

February 1, 2010

Mr. Paul E. Stacey  
Department of Environmental Protection  
Bureau of Water Protection & Land Reuse  
Planning and Standards Division  
79 Elm Street  
Hartford, CT 06106-5127.

**RE: Proposed Stream Flow Regulations**

South Norwalk Electric and Water (SNEW) is opposed to the stream flow regulations currently proposed by DEP since they fail to adequately balance the many competing needs and uses of Connecticut's natural water resources. SNEW is in support of the intent of the enabling legislation. The key is to develop stream flow regulations that are in balance with all competing uses of the state's natural resources. It is essential that the needs of public water supply for the health and safety of the citizens of Connecticut are taken into account within any proposed regulations.

The regulations do not provide adequate balance by imposing excessive release requirements to all streams in the state while only a relatively small number of streams have been designated as flow-impaired. This will result in a substantial reduction in water resources available to meet the water supply needs of SNEW customers, as well as those of many other public water supply systems in Connecticut. The regulations will result in a reduction in the safe yield of our system, creating a supply deficit that will impact the water supply available for public health and safety.

The resulting loss of available water supply will have a significant impact on SNEW, and many other public water supply systems throughout Connecticut. Impacts that are likely to result include reduced ability to meet water supply demands including needs for fire protection and sanitation, more frequent drought restrictions, significant and more frequent rate increases, reduced water quality, significant costs to modify existing infrastructure to ensure compliance and the need to develop additional sources of supply. These potential impacts will result in economic hardship to many residents and businesses, and will hinder the economic recovery efforts within the state of Connecticut.

The order of magnitude of needed sources of supply to make up for this will be considerable, based on current analysis of the impact on the safe yield of Connecticut systems conducted to date. However, the availability of these additional sources is unknown, the ability for the state to permit the required quantity of supply needed is questionable and the potential environmental impacts resulting from the

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development of such new sources may likely exceed the possible environmental benefits gained from the releases required by the regulations.

The regulations do not adequately address the significant impacts to public water supplies that will result and do not provide adequate exemptions. An exemption should be included for public water supply systems that will be put in a supply deficit due to the regulations. The variances that are currently proposed for reduced releases when certain drought triggers are realized will not adequately make up for the loss of safe yield. An exemption should also be included for systems on smaller watershed areas of 3 square miles or less. Due to their smaller size and lower safe yields, the regulations have a greater impact on public water supplies that are dependent on these watersheds.

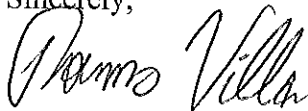
Finally, the regulations provide no provisions to measure the environmental benefits derived and compare them with the costs associated with implementation. The costs imposed by the regulations include: major environmental impacts resulting from developing new sources of supply; significant costs to develop and construct additional sources of supply; costs to install infrastructure to make and monitor the releases; costs associated with additional and more frequent drought restrictions; costs associated with managing frequent release adjustments; additional costs associated with water treatment; and economic impacts on businesses and residents in Connecticut.

How will the potential environmental benefits be measured and will they adequately justify the costs associated with implementing the regulations? SNEW does not believe that merely providing additional water downstream from every system in the state for some unmeasured benefit justifies the detrimental impacts to public water supplies that will result.

To properly apply stream flow regulations to all streams throughout the state, an assessment of the stream flow conditions should be done first, i.e. complete the state wide stream classifications. The extent of the stream flow needs can then be accurately evaluated and a stream flow solution can be implemented that will truly provide benefits where they are needed and avoid a one size fits all approach.

The proposed regulations do not adequately balance the needs of public water supply for the citizens of Connecticut and therefore SNEW opposes their adoption.

Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas Villa". The signature is fluid and cursive, with the first name "Thomas" and last name "Villa" clearly distinguishable.

Thomas Villa  
Director of Operations